

REMARKS

The Examiner's Action mailed on November 16, 2006, has been received and its contents carefully considered. Reconsideration of the final rejections presented therein is requested for at least the following reasons. Additionally attached to this Amendment is a Petition for a One-month Extension of Time, extending the period for response to March 16, 2007.

In this Amendment, Applicants have amended claims 1-3 and cancelled claims 4, 7 and 8 without prejudice. Claim 1 is the sole independent claim, and claims 1-3 remain pending in the application. For at least the following reasons, it is submitted that this application is in condition for allowance.

Claim 1 was rejected under 35 USC §102(b) as anticipated by *Gentry et al.* (US 2001/0003341 A1). This rejection is respectfully traversed.

The features of claim 4 have been added to claim 1 by amendment, which now additionally recites "an outer peripheral edge of the packaging container provided with a flange; wherein said flange is provided with minute projections or minute recesses; an outer peripheral edge of the flange forms a vertical corrugation" along with a further feature that "a difference between the top and the bottom of a waveform of the vertical corrugation is not more than 0.5 mm".

The structure as recited in the claims provides a user with a feeling of roughness when touching the flange, thereby preventing the user's fingers from being injured by touching the edge of the flange.

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The claimed features patentably define over *Gentry et al.*, which does not show a vertical corrugation "not more than 0.5 mm" in height, and also does not show *both* a vertical and a lateral corrugation as claimed.

The version of FIG. 4 of *Gentry et al.* reproduced in the Office Action has been labeled to allegedly show both vertical and horizontal corrugations, whereas what it actually shows are merely the height and pitch respectively of only vertical corrugations, there being in fact no horizontal corrugations disclosed in *Gentry et al.*

Notwithstanding the above, claim 1 has been amended to change "corrugated in at least a horizontal direction" to read "corrugated in at least a lateral direction", to clarify the embodiment of the invention disclosed, for example, at page 8, lines 4-8 of the specification, which reads as follows:

Otherwise, by combining the above-mentioned embodiment and this embodiment, the outer peripheral edge **11a** of the flange **11** may be complexly corrugated both in the lateral (horizontal) and vertical directions.

The Office Action does not give patentable weight to all the claimed features, on the ground that process limitations are included in apparatus claims, but there are no process limitations in the claims as amended, and all features should therefore be given full patentable weight.

Consequently, claim 1 patentably defines over *Gentry et al.* for all the above reasons and is allowable, together with claims 2 and 3 that depend therefrom.

Claims 2-4, 7 and 8 were rejected under 35 USC §103(a) as obvious solely over *Gentry et al.* This rejection is respectfully traversed.

Claims 2 and 3 depend from claim 1, and are therefore allowable for at least the same reasons that claim 1 is allowable. Claims 4, 7 and 8 have been cancelled.

It is submitted that this application is in condition for allowance. Such action and the passing of this case to issue are requested.

Should the Examiner feel that a conference would help to expedite the prosecution of this application, the Examiner is hereby invited to contact the undersigned counsel to arrange for such an interview.

Should the remittance be accidentally missing or insufficient, the Commissioner is hereby authorized to charge the fee to our Deposit Account No. 18-0002, and advise us accordingly.

Respectfully submitted,



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Date

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